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Attorneys for R. Todd Neilson,  
Chapter 11 Trustee

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

LARRY W. ROLLINS, et al.,

Appellants,

vs.

R. TODD NEILSON,

Appellee.

(Appeal from *Rollins v. Neilson (In re Cedar Funding, Inc.)*, Bankr. N.D. Cal. (San Jose) Case No. 08-52709 MM, Adv. No. 08-05155 MM)

Case No. C-09-01702 RMW

**STIPULATION AND ORDER FOR  
DISMISSAL OF APPEAL**

Judge: Hon. Ronald M. Whyte

This stipulation is entered into by and between, appellants Larry W. Rollins, Marie P. Rollins, Douglas N. Forzani, and Shirley J. Forzani (the “Appellants”) and appellee R. Todd Neilson, the Chapter 11 Trustee (the “Appellee”) in the bankruptcy case of Cedar Funding, Inc. (the “Debtor”), with reference to the following facts:

WHEREAS, Appellants filed *Rollins v. Neilson (In re Cedar Funding, Inc.)*, Bankr. N.D. Cal. Case No. 08-52709 MM, Adv. Pro. No. 08-05155 MM in the Bankruptcy Court seeking an adjudication of the ownership of that certain deed of trust on the real property commonly known as 414 Alvarado, Monterey, California (the “Deed of Trust”), securing indebtedness to Vincent R. Larocca;

1 WHEREAS, the Bankruptcy Court determined that the Appellee is the owner  
2 of the Deed of Trust; and Appellants filed the instance appeal; and

3 WHEREAS, the parties have entered into a settlement with respect to  
4 ownership of the Deed of Trust as memorialized in that certain Stipulated Order on Motion  
5 for Order from Relief from Automatic Stay entered on June 8, 2010 by the Bankruptcy  
6 Court.

7 NOW, THEREFORE, Appellants and Appellee hereby stipulate and agree that  
8 the above captioned appeal shall be dismissed; each party to bear its own costs incurred in  
9 connection with the appeal.

10  
11 Dated: June 28 2010

FRIEDMAN DUMAS & SPRINGWATER LLP

13 By: /s/Cecily A. Dumas

14 Cecily A. Dumas  
15 Attorneys for Appellee

16  
17 Dated: June 25, 2010

18 By: [Signature]  
19 Larry J. Lichtenegger  
20 Attorneys for Appellants  
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ORDER

Pursuant to stipulation, IT IS SO ORDERED.

DATED: 6/30/10



RONALD M. WHYTE  
United States District Judge

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